

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DENIS SHUSTERMAN,	:	Civil No. 1:18-cv-1452
	:	
Petitioner,	:	
	:	
v.	:	
	:	
WARDEN DAVID EBBERT,	:	
	:	
Respondent.	:	Judge Sylvia H. Rambo

ORDER

Presently before the court is a Report and Recommendation of the magistrate judge in which he recommends that the petition for a writ of habeas corpus (Doc. 1) be dismissed both as moot and unexhausted. Petitioner Denis Shusterman was formerly a federal prisoner who challenged the Bureau of Prison's denial of Residential Re-entry Center placement for Petitioner. However, Petitioner failed to exhaust his administrative remedies prior to filing the petition, and he has since been released from federal custody. Upon review of the report and recommendation, the court finds that it is well-reasoned and supported by law. Accordingly, **IT IS HEREBY ORDERED** as follows:

- 1) The report and recommendation of the magistrate judge is **ADOPTED**;
- 2) The petition for writ of habeas corpus (Doc. 1) is **DISMISSED**;
- 3) A certificate of appealability shall not issue as any appeal taken from this order is deemed frivolous and not in good faith;
- 4) The Clerk of Court is directed to close this case.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: March 18, 2019